

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:
PB LIFE AND ANNUITY CO., LTD.,
et al.,
Debtors in Foreign Proceedings.

Chapter 15

Case No. 20-12791 (LGB)
(Jointly Administered)

JOHN JOHNSTON and EDWARD
WILLMOTT, as Joint Official
Liquidators on behalf of PB LIFE AND
ANNUITY CO., LTD., as Joint Provisional
Liquidators on behalf of NORTHSTAR
FINANCIAL SERVICES (BERMUDA)
LTD., OMNIA LTD., and PB
INVESTMENT HOLDINGS LTD., and
PB LIFE AND ANNUITY CO., LTD.,
NORTHSTAR FINANCIAL SERVICES
(BERMUDA) LTD., OMNIA LTD., and
PB INVESTMENT HOLDINGS LTD.,
Plaintiffs,
v.
GREGREY EVAN LINDBERG A/K/A
GREG EVAN LINDBERG, *et al.*
Defendants.

Adv. Proc. No. 23-01000 (LGB)

**PLAINTIFFS' STATEMENT CONCERNING CONDON TOBIN MOTION TO
WITHDRAW AS COUNSEL FOR LINDBERG DEFENDANTS**

John Johnston and Edward Willmott (“JOLs/JPLs”),¹ as Joint Official Liquidators on behalf of PB Life and Annuity Co., Ltd. (“PBLA”), Joint Provisional Liquidators of Northstar Financial Services (Bermuda) Ltd. (“Northstar”), Omnia Ltd. (“Omnia”), and PB Investment Holdings Ltd. (“PBIHL”, together with PBLA, Northstar, and Omnia, the “Debtors”), and PB Life and Annuity Co., Ltd., Northstar Financial Services (Bermuda) Ltd., Omnia Ltd., and PB Investment Holdings Ltd. (collectively, “Plaintiffs”), respectfully submit this Statement in response to the *Motion to Withdraw As Counsel to Lindberg Defendants* [ECF No. 506] (the “Motion to Withdraw”) filed by Condon Tobin Sladek Thornton Nerenberg, PLLC (“Condon Tobin”).

1. On September 20, 2024, a motion for pro hac vice admission [ECF No. 504] and Notice of Appearance [ECF No. 505] were filed by Pardis Camarda Moreland, purporting to represent 572 Lindberg Defendants already represented by Condon Tobin. The Motion to Withdraw was subsequently filed by Condon Tobin.

2. Pursuant to the Third Amended Scheduling Order for Motions to Dismiss dated April 17, 2024 [ECF No. 311] – five months ago - oral argument on the motions to dismiss the Adversary Proceeding is scheduled for tomorrow – September 24 – at 10:00 a.m.

3. The Plaintiffs take no position on the Motion, or the substitution of Ms. Moreland for Condon Tobin for the 572 Lindberg Defendants, provided it does not cause any delay in the hearing or the Court’s determination of the motions to dismiss or Plaintiffs’ continued prosecution of the Adversary Proceeding.

¹ By Orders of the Supreme Court of Bermuda, John Johnston and Rachelle Frisby were originally appointed as joint provisional liquidators (“JPLs”) of the Debtors. On September 25, 2023, the Supreme Court of Bermuda entered an Order removing Ms. Frisby as JPL and recognized Edward Willmott of Deloitte Financial Advisory Ltd. as Mr. Johnston’s counterpart as a new joint provisional liquidator of the Debtors. By Order dated October 30, 2023, the Court authorized the amendment of the Recognition Orders to recognize Mr. Willmott as the Debtors’ JPL. The appointment of Messrs. Johnston and Willmott as PBLA’s Joint Official Liquidators was authorized by Order of the Supreme Court of Bermuda dated March 8, 2024 and by Order of this Court dated April 1, 2024.

4. Should the Motion be grounds for any delay in either, the Plaintiffs oppose the Motion. Condon Tobin and the Lindberg Defendants should not be rewarded with a delay in the prosecution of the Adversary Proceeding by filing the Motion four days before oral argument on the Motion to Dismiss. Condon Tobin briefed the Motion to Dismiss on behalf of all the Lindberg Defendant and can argue the Motion to Dismiss on behalf of all the Lindberg Defendants on September 24.

Dated: September 23, 2024
New York, New York

STEVENS & LEE, P.C.

By: /s/ Nicholas F. Kajon

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